REMARKS

Claims 1-2, 4, 15, 19-21, 29-30 and 39 are pending in the present application.

It is respectfully submitted that the present response presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the following remarks is requested.

I. The Rejection of Claims 1-2, 4, 15, 19-21, 29-30 and 39 under 35 U.S.C. 103(a)

Claims 1-2, 4, 15, 19-21, 29-30 and 39 are rejected under 35 U.S.C. 103(a) over Adachi et al. in view of Reznikoff et al.

Adachi et al. is cited as teaching methods for facilitating site directed recombination in eukaryotic host organisms to produce genomic mutants using transposon mediated mutagenesis of cosmid vectors carrying genomic inserts.

The Examiner acknowledges that Adachi et al. does not teach the use of a "promoterless and secretion signal-less secretion reporter." The Examiner contends, however, that Reznikoff et al. motivates an artisan to use "promoterless and secretion signal-less secretion reporter" in the methods of Adachi et al. because both Reznikoff et al. and Adachi et al. teach the use of in vitro transposition methods, Adachi teach the use of antibiotic resistance markers, such as beta-lactamase (secretable reporter) and Reznikoff et al. teach that the selectable or detectable marker (reporter) without the regulatory elements.

The obviousness is respectfully traversed. The obviousness rejection is based on the incorrect assertion that Reznikoff et al. teach the use of "promoterless and secretion signal-less secretion reporter." Reznikoff et al. do not teach the use of a "secretion signal-less secretion reporter." The Examiner refers to Reznikoff et al's teaching that the transposable element includes a coding region that encodes a detectable or selectable protein, ***"with or without associated regulatory elements such as promoter, terminator or the like."*** The Examiner alleges that this portion of Reznikoff "refers to the promoterless and secretion signal-less reporter of the instant claims." However, this conclusion is not correct. A secretion signal is not a regulatory element. A secretion signal is part of the coding sequence, and the encoded polypeptide is used to transport a polypeptide across a membrane. Thus, Reznikoff et al's reference to a coding region that encodes a detectable or selectable protein, *with or without associated regulatory elements such as promoter, terminator or the like* is not a reference to the use of a "secretion signal-less secretion reporter."

The use of a secretion signal-less secretion reporter is a key aspect of the invention. In

particular, Applicants' invention is directed to new methods for identifying secreted polypeptides, in which one of the key elements is the insertion by in vitro transposition into a gene in a library a transposon comprising a polynucleotide encoding a promoterless and secretion signal-less secretion reporter. None of the cited references, alone or in combination, teach or suggest a method for identifying the complete coding sequence of a gene of interest from a gene library which includes the step of inserting by in vitro transposition into a gene in the library a transposon comprising a polynucleotide encoding a promoterless and secretion signal-less secretion reporter; wherein there is a continuous open reading frame between the transposon and the polynucleotide encoding the secretion reporter.

Thus, as Reznikoff et al. does not teach the use of a "secretion signal-less secretion reporter," Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

II. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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